CCRB CASE CLOSING FORM

Investigator assigned: Bernbaum		Team: 6	CCRB#: 9701347	FADO: F/A/D
Date of incident: 2/15/97	Time of incident: 20:30	Location of incident: Washington Ave./St. Johns – Brooklyn	Pct. of occurrence: 077	Date SOL expires: 08/15/98
Date reported: 04/15/97	Time reported: 2104	To whom/where/how reported: Reported to CCRB via letter from the complainant		

Complainant: § 87(2)(b)	Home address: § 87(2)(b)
Victim(s): § 87(2)(b) § 87(2)(b)	

Witness(es):
§ 87(2)(b)

Subject officer(s) (include rank): PO Ischaler Grant	Shield: 20485	Tax: 897595`	Command: SCU
Witness officer(s) (include rank): PO Christopher Roach	1325	910128	SCU

Allegation(s) by letter:	Recommendation(s):
A. Abuse of Authority – PO Ischaler Grant did not identify himself as a police officer in violation of Patrol Guide Procedure 104-01	§ 87(2)(g)
B. Abuse of Authority - PO Ishcaler Grant frisked § 87(2)(b) in violation of Patrol Guide Procedure 116-33	§ 87(2)(g)
C. Abuse of Authority - PO Ischaler Grant searched the contents of § 87(2)(b) ' bag in violation of Patrol Guide Procedure 104-01	§ 87(2)(g)
D. Force - PO Ischaler Grant punched § 87(2)(b) on the left shoulder in violation of Patrol Guide Procedure 104-01	§ 87(2)(g)
E. Abuse of Authority - PO Ischaler Grant searched § 87(2)(b) vehicle in violation of Patrol Guide Procedure 104-01	§ 87(2)(g)
F. Offensive Language - PO Ischaler Grant said to § 87(2)(b) , "Black children don't know how to act" in violation of Patrol Guide Procedure 104-01	§ 87(2)(g)

Summary

On February 15, 1997, █§ 87(2)(b)█ and █§ 87(2)(b)█ were on the corner of Washington Avenue and St. Johns Street in Brooklyn when two officers from the Street Crime Unit approached them. Officer Grant questioned █§ 87(2)(b)█ about the contents of her bag and checked her bag for a gun. █§ 87(2)(b)█ along with █§ 87(2)(b)█ and █§ 87(2)(b)█ verbally protested to the actions of Officer Grant. When no weapon was found, the officers asked █§ 87(2)█ █§ 87(2)(b)█ for his identification and vehicle registration. █§ 87(2)(b)█ provided this information and the officers left the scene. No tickets were issued.

Analysis

█§ 87(2)(b)█ and █§ 87(2)(b)█ were able to provide this investigation with their statements. █§ 87(2)█ █§ 87(2)(b)█s statements came from a typed three-page letter and an interview conducted by Investigator Valentini. His letter (enclosure # 2A-2D) was sent to the Police Commissioner, IAB, 1st Deputy Commissioner, Chief of Detectives, Borough President Howard Golden and Assemblyman Nick Perry. █§ 87(2)(b)█ indicates in his letter and his interview that the two males approached the three of them and questioned █§ 87(2)(b)█ about the contents of her bag without identifying themselves as police officers (Allegation A). █§ 87(2)(b)█ claims that they asked her what █§ 87(2)(b)█ had just given her, though █§ 87(2)(b)█' bag was in █§ 87(2)(b)█ possession. █§ 87(2)(b)█ says that Officer Grant came over to her and asked her if she had any drugs on her. According to █§ 87(2)(b)█, Grant frisked her (Allegation B) and then asked █§ 87(2)(b)█ to give him the bag. The complainant makes no mention of █§ 87(2)(b)█ being frisked. He claims that he mediated the situation by telling █§ 87(2)(b)█ to give the bag to the officer. He claims that the officer rummaged through the bag (Allegation C). However, █§ 87(2)(b)█ says that the officer snatched the bag out of █§ 87(2)(b)█ hands and dumped everything onto the sidewalk (Allegation C).

According to Officer Grant, █§ 87(2)(b)█ was in possession of the bag once █§ 87(2)(b)█ took it from the car and handed it to her. Grant claims that this action led him to be suspicious of these individuals. He says he approached these civilians because there was a car that was double-parked which appeared as if it belonged to one of them. Grant and Roche both claim that their badges were displayed around their necks. Nobody admitted ownership of the car and Grant observed █§ 87(2)(b)█ reach into this questionable vehicle, grab a cylindrical type back-pack and hand it to █§ 87(2)(b)█. At this point, Officer Grant says he asked █§ 87(2)(b)█ several times, "Can I see what's in the bag?" Eventually, she just threw it at him. He says he only squeezed it to see if there were any weapons in it. Grant's partner, Officer Roche, was able to confirm this part of the incident.

According to the complainant, these actions of Officer Grant upset him so he "removed the purse from his [Officer Grant's] hand. Officer Grant says that █§ 87(2)(b)█ "ripped the bag out of his hands and handed it back to the female." Grant claims he then said to █§ 87(2)(b)█, "Do you know right now that you took property from me that doesn't belong to you?" █§ 87(2)(b)█ recalls this in his accounts. █§ 87(2)(b)█, however, says that █§ 87(2)(b)█ picked up her clothes, etc. off

the sidewalk, stuffed them back in her bag and handed the bag to her.

After he grabbed the bag, █§ 87(2)(b)█ indicates that Officer Grant punched him, with force on his left shoulder (Allegation D). █§ 87(2)(b)█ writes, "The force of this blow almost knocked me onto the cement pavement." Though █§ 87(2)(b)█ recalls the officer pushing █§ 87(2)(b)█ out of his way, she denies seeing the officers strike █§ 87(2)(b)█ at any point. Grant and Roche deny this allegation.
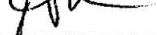
Though █§ 87(2)(b)█ does not allege this, █§ 87(2)(b)█ says that Officer Grant looked into the glove compartment of the vehicle (Allegation E). Upon leaving the scene, Officer Grant and Officer Roche claim that they approached the double-parked vehicle, which was still in question. Officer Grant claims that this vehicle was turned on as well as the radio inside the car. Because he thought it might be stolen, Officer Grant says he approached the car and checked under the seats and under the ignition. However, Officer Roche says that neither he nor his partner looked inside the car.

Officer Grant asked █§ 87(2)(b)█ for his license and registration to verify that it was his car. Once this was confirmed, Officer Grant and Officer Roche left the scene. █§ 87(2)(b)█ alleges upon leaving, Officer Grant said, "Black children don't know how to act. You think you have money because you have this car! (Allegation F)". █§ 87(2)(b)█ does not mention this and both Officers deny this allegation.

Investigator: _____   Date: _10/8/97_

Supervisor: _____   Date: _10/21/97_

Reviewed by: _____   Date: _____

Reviewed by: _____   Date: _____